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LB 46, 407

about it a little last night, and I'm going to refer you to the bright blue sheet that I passed out, if you're interested in this discussion, and this is a page from the community corrections working group final report that Senator Brashear, Senator Bourne, and Senator Dwite Pedersen worked on. And my concern, as I said last night, is more of an admissions front-end issue than back-end issue, I guess for lack of a better description, in the criminal justice corrections system. And one of the findings of the working group is listed here and I've underlined it and it's referring to the sentencing structures of the state, and I was going to ask Senator Brashear this but I don't see him on the floor, but I believe I'm correct in saying that LB 46 doesn't get to any new sentencing structure issues, although the commission group that's formed is supposed to be making recommendations. They aren't going to be able to get there and get those bills passed in time to have significant impact on people coming into the correction system by a year from now. And what this tells us, and this is the data that we need to be considering, we can talk about trying to parole people earlier and so forth, but if you want to have impact on the number of people in the system you have to get to the issue of admissions. And the reports says, in terms of projections, two critical variables exist. One is admissions and the other is length of stay. In terms of reducing prison population, of the two, admissions is the variable which has the biggest effect. For example, if there is no change to admissions policy, and this is sentencing structures, but the length of stay is reduced by two months, which would be the parole process, it is estimated that DCS will be at 161 percent of capacity by 2007. We're at 130 percent of capacity, design capacity, this year. That's how fast it's going to move if we don't get to the sentencing part, which is the more difficult part. We've been talking about this for years, maybe not in all aspects of the Legislature. Here are sentencing commission studies from a number of other states and, for example, the state of Minnesota, which is the area or the state in the country which is looked to most often because it's been there the longest for longitudinal studies and data on the impact of sentencing guidelines, they control their prison population through their sentencing guideline structure. I think that's a more effective way than saying we're just going to close a